

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

In the Matter of)

Global NAPs, Inc.)

Petition for Arbitration Pursuant to Section 252(b)
of the Telecommunications Act of 1996 to
Establish an Interconnection Agreement with
Verizon New England Inc. d/b/a Verizon
Massachusetts f/k/a New England Telephone
and Telegraph Company d/b/a Bell
Atlantic-Massachusetts)

Docket No: 02-45

**VERIZON MASSACHUSETTS INC.'S FIRST SET OF COMBINED
INTERROGATORIES AND DOCUMENT REQUESTS TO GLOBAL NAPs, INC.**

Pursuant to the August 19, 2002 Notice of Appointment of Arbitrator; Procedural Schedule; and Ground rules, Verizon Massachusetts ("Verizon ") hereby propound the following Interrogatories and Requests for Production of Documents ("Requests") upon Petitioner Global NAPs, Inc. ("GNAPs") to be answered by GNAPs' officers, employees or agents who know of the requested information and are authorized to answer on behalf of GNAPs. These Requests are continuing in nature so as to require GNAPs to submit supplemental answers and/or documents should additional responsive information become known or information and/or documents supplied in the answers or production prove to be incorrect or incomplete. The Requests are to be answered in writing under oath and responsive documents are to be furnished within the time prescribed by the Commission.

I. Additional Instructions

A. If you object to any part of a Request, answer all parts of such Request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

B. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to a Request contained in a non-written communication, state the following with respect to the non-written communication:

1. the date thereof;
2. the identity of each of the participants in the non-written communication;
3. the identity of each person present during all or any part of the non-written communication;
4. a description of the non-written communication which is sufficient to identify the particular communication without revealing the information for which a privilege or protection from non-disclosure is claimed;
5. the nature of your claim of non-discoverability (e.g., attorney-client privilege); and
6. each and every fact on which you rest your claim of privilege or other protection from disclosure, stated with sufficient specificity to permit Verizon to make a full determination as to whether your claim is valid.

C. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to a Request contained in a document, set forth with respect to the document:

1. the date and number of pages;
2. the identity of the author(s) or preparer(s);
3. the identity of the addressee, if any;
4. the title;
5. the type of tangible thing (e.g., letter, memorandum, telegram, chart, report, recording disc);

6. the subject matter (without revealing the information as to which privilege or protection from non-disclosure is claimed);
7. the identity of each person who has received the document or to whom knowledge of the contents of the document was communicated;
8. the identity of the present custodian(s);
9. the nature of your claim of non-discoverability (e.g., attorney-client privilege); and
10. each and every fact on which you rest your claim of privilege or other protection from disclosure, stated with sufficient specificity to permit Verizon to make a full determination as to whether your claim is valid.

D. If you claim any form of privilege or other protection from disclosure, other than as set forth in Instructions B and C, as a ground for not answering any Request, set forth:

1. the nature of your claim as to non-discoverability; and
2. each and every fact on which you rest your claim or privilege or other protection from disclosure, stating such facts with sufficient specificity to permit Verizon to make a full determination as to whether your claim is valid.

E. If you know of any document, communication or information but cannot give the specific information or the full information called for by a particular Request, so state and give the best information you have on the subject and identify every person you believe to have the required information.

F. The singular form of a noun or pronoun shall be considered to include within its meaning the plural form of the noun or pronoun, and vice versa; the masculine form of a pronoun shall be considered to include also within its meaning the feminine and neuter forms of the pronoun, and vice versa; and the use of any tense of any verb shall be considered to include also within its meaning all other tenses of the verb. In each instance, the Request shall be construed so as to require the most inclusive answer or production.

G. Please attach written material to any answer for which written material is requested and/or available. If such written material is not available, state where it may be obtained. Label the written material with the number of the Request to which it pertains.

H. On each Request response, list the name and title of the person or persons who prepared the response or who is responsible for the information contained therein.

II. Definitions

As used in these Requests, the following terms have the meaning as set forth below:

A. The terms “GNAPs,” “you,” or “your company” shall mean Global NAPs, Inc., including, but not limited to, GNAPs’ former and present officers, attorneys, employees, servants, agents, and representatives, and any person acting on GNAPs’ behalf.

B. The terms “relates to” or “relating to” mean referring to, concerning, responding to, containing, regarding, discussing, describing, reflecting, analyzing, constituting, disclosing, embodying, defining, stating, explaining, summarizing, or in any way pertaining to.

C. The term “including” means “including, but not limited to.”

D. “List,” “describe,” “explain,” “specify,” or “state” shall mean to set forth fully, in detail, and unambiguously each and every fact of which GNAPs or its agents or representatives have knowledge which is relevant to the answer called for by the Request.

E. The terms “document” or “documents” shall include, without limitation, any writings and documentary material of any kind whatsoever, both originals and copies (regardless of origin and whether or not including additional writing thereon or attached thereto), and any and all drafts, preliminary versions, alterations, modifications, revisions, changes and written comments of and concerning such material, including but not limited to: correspondence, letters, memoranda, notes, reports, directions, diagrams, schemata, studies, investigations, questionnaires and surveys, inspections, permits, citizen complaints, papers, files, books, manuals, instructions, records, pamphlets, forms, contracts, contract amendments or supplements, contract offers, tenders, acceptances, counteroffers or negotiating agreements, notices, confirmations, telegrams, communications sent or received, print-outs, diary entries, calendars, tables, compilations, tabulations, charts, graphs, maps, recommendations, ledgers, accounts, worksheets, photographs and any other pictorial representations, tape recordings, movie pictures, videotapes, transcripts, logs, workpapers, minutes, summaries, notations and records of any sort (printed, recorded or otherwise) of any oral communication whether sent or received or neither, and other written records or recordings, in whatever form, stored or contained in or on whatever medium including computerized or digital memory or magnetic media that:

1. are now or were formerly in your possession, custody or control; or
2. are known or believed to be responsive to these Requests, regardless of who has or formerly had custody, possession or control.

F. The term “date” shall mean the exact day, month and year, if ascertainable, or if not, the best approximation thereof, including relationship to other events.

G. The term “person” or “persons” means and includes any individual, committee, task force, division, department, company, contractor, state, federal or local government agency, corporation, firm, association, partnership, joint venture or any other business or legal entity.

H. The terms “identify” and “identity” when used with reference to a natural person mean to state his or her full name, present or last known address, present or last known telephone number, present or last known place of employment, position or business affiliation, his or her position or business affiliation at the time in question, and a general description of the business in which he or she is engaged.

I. The terms “identify” and “identity” when used with respect to any other entity mean to state its full name, the address of its principal place of business and the name of its chief executive officers.

J. The terms “identify” and “identity” with respect to a document mean to state the name or title of the document, the type of document (e.g., letter, memorandum, telegram, computer input or output, chart, etc.), its date, the person(s) who authored it, the person(s) who signed it, the person(s) to whom it was addressed, the person(s) to whom it was sent, its general subject matter, its present location, and its present custodian. If any such document was but is no longer in GNAPs’ possession or subject to its control, state what disposition was made of it and explain the circumstances surrounding, and the authorization for, such disposition, and state the date or approximate date thereof.

K. The terms “identify” and “identity” with respect to any non-written communication mean to state the identity of the natural person(s) making and receiving the communication, their respective principals or employers at the time of the communication, the date, manner and place of the communication, and the topic or subject matter of the communication.

L. The term “ILEC” means “incumbent local exchange carrier” and shall have the same meaning as within the Telecommunications Act of 1996

M. The term “oral communication” means any utterance heard, whether in person, by telephone, or otherwise.

N. The term “identify the sources” means to identify and specify all documents and non-written communications upon which you rely in support of the allegation, contention, conclusion, position or answer in question, to state the references drawn from each such source upon which you rely in support of such allegation, contention, conclusion, position or answer and to identify all individuals whom you know to be knowledgeable with respect to the subject matter of such allegation, contention, conclusion, position or answer. Where a source is a public record (e.g., a newspaper, trade journal, judicial or administrative opinion), a quotation and page reference of the material relied upon shall be supplied.

O. The term to “state the basis” for an allegation, contention, conclusion, position or answer means (a) to identify and specify the sources therefor, and (b) to identify and specify all facts on which you rely or intend to rely in support of the allegation, contention, conclusion, position or answer, and (c) to set forth and explain the nature and application to the relevant facts of all pertinent legal theories upon which you rely for your knowledge, information and/or belief that there are good grounds to support such allegation, contention, conclusion, position or answer.

P. The terms “and” and “or” have both conjunctive and disjunctive meanings as necessary to bring within the scope of the Interrogatories and request any information or documents that might otherwise be construed to be outside their scope; “all” and “any” mean both “each” and “every.”

Q. All acronyms used in this document, unless otherwise defined, shall have the same meaning as given pursuant to the Telecommunications Act of 1996, 47 U.S.C. § 153 *et seq.*

III. INTERROGATORY REQUESTS

1. With regard to any issue in this arbitration where GNAPs alleges that Verizon 's costs are "de minimis," please identify the sources upon which GNAPs relies for any such allegations.
2. To the extent that GNAPs alleges with regard to any issue in this arbitration that Verizon' s costs are "de minimis" based upon what other ILECs charge or do not charge, identify the sources upon which GNAPs relies for any such allegations.
3. Please provide maps or other documents showing the GNAPs local calling area, or areas if they vary, for which GNAPs offers or intends over the term of this interconnection agreement to offer its customers telecommunications services in Massachusetts, and specify where GNAPs' customers in Massachusetts are or are likely to be located.
4. Please state whether GNAPs in Massachusetts intends to identify the entire LATA(s) as GNAPs' local calling area(s) for purposes of intercarrier compensation?
5. If GNAPs' Response to Request No. 4 is in the affirmative, how many points of interconnection does GNAPs intend to place within GNAPs' local calling area(s) in Massachusetts?
6. Please identify and list all NXX codes that GNAPs has obtained for use in Massachusetts and the associated rate centers that GNAPs has assigned to them.
7. Please identify the number (how many) of GNAPs end user customers who have been assigned NXX codes and who are not physically located in the geographical area to which that NXX code is assigned in Massachusetts.
8. Please list the locations of all of GNAPs' Interconnection Points with all local exchange carriers in Massachusetts and provide all documents reflecting those Interconnection Points. For purposes of responding to this Request, an "Interconnection Point" is the point at which a Party who receives Reciprocal Compensation Traffic (as defined by Verizon in Exhibit B to Verizon's Response to GNAPs' Petition) from the other Party assesses Reciprocal Compensation charges (as defined by Verizon in Exhibit A to Verizon's Answer to GNAPs' Petition) for the further transport and termination of that Reciprocal Compensation Traffic.
9. Please identify all of the geographic locations in Massachusetts at which GNAPs proposes to physically interconnect its network with Verizon's network in order to provide telecommunications service(s) during the term of the interconnection agreement at issue in this proceeding.
10. Please identify the average distance from the geographic point(s) at which GNAPs' network is physically interconnected with Verizon's network to the geographic location of the respective GNAPs' customers who receive traffic from Verizon's

customers via the point(s) of interconnection.

11. If Verizon is required to purchase transport from GNAPs, identify the sources of any of the charges that GNAPs will assess Verizon for this transport (including cost studies, etc).
12. Please identify whether and which of GNAPs' customers collocate or otherwise maintain facilities at the same geographic location(s) as any of GNAPs' facilities in Massachusetts.
13. Please describe (including but not limited to quantity and/or length) the type and location of any telecommunications equipment that GNAPs has deployed in Massachusetts, including but not limited to the number and location of dedicated transport transmission paths from various Verizon transport hubs to GNAPs.
14. Please describe (including but not limited to quantity and/or length) the type and location of any telecommunications equipment that GNAPs leases in Massachusetts, including but not limited to the number and location of dedicated transport transmission paths from various Verizon transport hubs to GNAPs. If GNAPs leases any such equipment, include in your response an identification of the lessor.
15. Please identify any distance sensitive rates or charges that GNAPs assesses other telecommunications carriers or other customers in Massachusetts for transporting and/or terminating traffic to GNAPs' customers.
16. With reference to Request 15, identify the sources of such rate or charge, including but not limited to a GNAPs tariff, price lists or contracts, and produce all intrastate and interstate tariffs, price lists, and contracts in which GNAPs offers a service at distance-sensitive rates.
17. Please identify the specific telecommunications services that GNAPs offers its customers in Massachusetts and identify which services are offered pursuant to tariff and which are offered pursuant to a contractual arrangement.
18. Please identify GNAPs' current customers in Massachusetts (including, but not limited to, the number and type of customer such as residential, business, Internet service provider, etc.).
19. For the past two years, and as a percent of all traffic either originated or terminated by GNAPs in Massachusetts, provide the percent of traffic GNAPs originated versus the percent of traffic terminated by GNAPs in Massachusetts.
20. For the past two years, and as a percent of all GNAPs' revenues in Massachusetts, provide the percent of revenues GNAPs generated from reciprocal compensation payments from other telecommunications carriers in Massachusetts, regardless of whether GNAPs has actually collected such revenues.
21. Unless already specifically requested and provided in response to the above

discovery requests, produce all documents referred to or relied upon in answering the above discovery requests and any documents GNAPs' witnesses intend to present as exhibits at the hearing.